

CRM-M-38371-2021

Date of Decision : 12.10.2021

Manjit Kaur

...Petitioner

Versus

State of Punjab

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. S.K. Virk, Advocate for the petitioner.
Mr. Sukhbeer Singh, AAG, Punjab.

B.S. Walia, J. (Oral)

1. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.138 dated 17.08.2021, registered under Sections 306 and 34 IPC at Police Station Bullowal, District Hoshiarpur.
2. On 16.09.2021, the following order was passed:-

“Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

Payer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.138 dated 17.08.2021, registered under Sections 306, 34 IPC, 1860 at Police Station Bullowal, District Hoshiarpur.

Learned counsel contends that the petitioner has been implicated in a false case, allegations are against her daughter-Preeti of having an illicit relationship with one Ritik Kumar on account of which her son in law committed suicide, there is no mention of any specific role attributed to the petitioner leading to the suicide of

her son-in-law except general allegations, the petitioner is a house-wife, a middle aged lady, having no criminal antecedents and is ready and willing to join investigation as and when required and to fully cooperate in the same.

Notice of motion.

Mr. Sukhbeer Singh, AAG, Punjab accepts notice and requests for time to file reply.

In the meantime, the petitioner is directed to join investigation and fully cooperate with the police. However, in the event of arrest, the petitioner be released on ad-interim pre-arrest bail, subject to her furnishing bail / surety bonds to the satisfaction of the Arresting / Investigating Officer. The petitioner shall also abide by the conditions envisaged under Section 438(2) Cr.P.C., failing which, the interim protection granted to the petitioner, shall stand vacated”.

3. Learned counsel contends that pursuant to order dated 16.09.2021 as well as order dated 30.09.2021, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bail and that her custodial interrogation is not required, besides, CRM-M No.42670 of 2021 titled as Preeti vs. State of Punjab has been dismissed as withdrawn vide order dated 11.10.2021.

4. Learned State counsel on instructions from ASI Surinder Pal Singh confirms that pursuant to the orders of this Court dated 16.09.2021 and 30.09.2021, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bail and that her custodial interrogation is not required, besides, CRM-M No.42670 of 2021 filed by the main accused i.e. Preeti, daughter of the petitioner was

dismissed as withdrawn vide order dated 11.10.2021 with liberty to said petitioner to surrender before the learned trial Court and to move a petition for regular bail.

5. In view of the statement of learned State counsel, orders dated 16.09.2021, passed by this Court, are made absolute. The petitioner shall abide with the conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be construed to be an expression of opinion on the merits of the case.

6. Petition stands *disposed of* in the aforementioned terms.

(B.S. Walia)
Judge

12.10.2021
'Amit'

Whether speaking/ reasoned	:	Yes/No
Whether reportable	:	Yes/No